

IFW

PTO/SB/21 (09-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number

10/771,737

Filing Date

February 3, 2004

First Named Inventor

Burt, David S.

Art Unit

1648

Examiner Name

Attorney Docket Number

021989-000411US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Supplemental Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/ Incomplete Application

☐

Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a Provisional Application

☐

Power of Attorney, Revocation Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

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Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board of Appeals and Interferences

☐

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify below):

Form PTO/SB/08B, EP search report, 1 reference, return postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Scott E. McPherson

Printed name

Scott E. McPherson

Date

August 22, 2005

Reg. No.

53,307

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Timothy S. Parker

Typed or printed name

Timothy S. Parker

Date

August 22, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 021989-000411US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On August 22, 2005

TOWNSEND and TOWNSEND and CREW LLP



Timothy L. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David S. Burt, et al.

Application No.: 10/771,737

Filed: February 3, 2004

For: PROTEOSOME INFLUENZA
VACCINE

Examiner:

Art Unit: 1648

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The reference cited on attached form PTO/SB/08B is being called to the attention of the Examiner. A copy of the reference is enclosed. It is respectfully requested that the cited reference be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

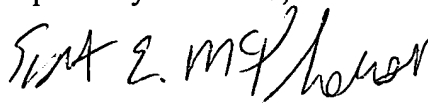
Also enclosed is a copy of a European Search Report dated July 12, 2004 which was issued in corresponding European application no. 04000953.2, and in which this reference was cited.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and reference cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, because this submission is prior to the issuance of a first Office Action on the merits.

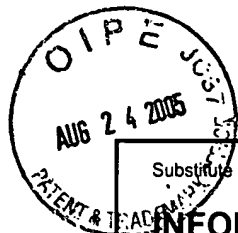
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Scott E. McPherson
Reg. No. 53,307

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60569271v1



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/771,737		
		Filing Date	February 3, 2004		
		First Named Inventor	Burt, David S.		
		Art Unit	1648		
		Examiner Name			
Sheet	1	of	1	Attorney Docket Number	021989-000411US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BC	Jahn-Schmidt, Beatrice, et al. "Toward selective elicitation of T _H 1-controlled vaccination responses: vaccine applications of bacterial surface layer proteins", <i>Journal of Biotechnology</i> (1996) 44:225-231	
	BD		
	BE		
	BF		
	BG		
	BH		
	BI		
	BJ		
	BK		
	BL		
	BM		

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.